

**MILLIS CONSERVATION COMMISSION  
MEETING MINUTES  
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA  
April 4, 2022**

The meeting was brought to order at 7:00 p.m. by Dr. James Lederer, Chair.

The following members were present:

Dr. James Lederer, Chair

Carol Hayes, Vice Chair

Ed Chisholm, Christine Gavin, David Larsen, Scott McPhee, John Steadman

Jonathan Niro, BETA Group

Members Absent:

Others present: Kevin Curry, 252 Pleasant St.

Devlan Curry, 252 Pleasant St.

Ted Merchant, Toll Bros., Westborough

Jason & Nicole Lobisser, 72 Milford St., Medway

Stephen G. MacInnes, 78 Island Rd.

David Werner, 91 Ridge St.

**REQ. FOR DETERMINATION OF APPLICABILITY, PUB. HEARING, O TURNER ST., CONT.**

The public hearing continuation was opened at 7:00 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Niro and Ms. Nover of BETA conducted a site visit with Mr. Curry on March 16, 2022.

Mr. Niro summarized their memorandum, dated March 22, 2022.

Mr. Curry stated that the old vehicles have been removed. There was discussion regarding the installation of the gate and placement from the road. The Commission reiterated that any future work/clearing on the property will require Conservation Commission approval beforehand.

There being no further discussion, on a motion made by Mr. Steadman, seconded by Mr. Larsen, it was voted unanimously to close the public hearing at 7:20 p.m.

On a motion made by Mr. Steadman, seconded by Mr. Chisholm, it was voted unanimously to approve a Negative 3 Determination of Applicability with the following conditions:

1. The Applicant shall install 12-inch compost filter tubes along both sides of the cart path where work occurs.
2. The Applicant shall use the onsite fill to repair the cart path in lieu of angular crushed stone. All unsuitable materials (i.e., stones and bricks) must be removed from the fill material and suitable organic compost must be mixed into the fill to establish a suitable growing medium.

**MILLIS CONSERVATION COMMISSION  
MEETING MINUTES  
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA  
April 4, 2022**

3. After repairing the ruts, the Applicant shall seed the area by hand with an approved, native seed mixture.
4. All stones and debris must be removed from the BVW.
5. The Applicant shall provide photographic proof that the cars have been removed from the property.
6. No vegetative clearing is permitted for the installation of the gate or any other portion of this work.
7. The area of disturbed BVW shall be monitored for natural reestablishment and, if determined to be necessary by the MCC, seeded with a native wetland seed mixture.
8. Beehives shall be stored as far from the Charles River as possible and may not be placed on any kind of foundation.
9. The gate shall be placed no more than twenty-five feet from the road.
10. There should be limited vehicle access of any type on the cart path; use should be limited to maintaining beehives and/or recreational use by owner.
11. There shall be no further activity of any kind without prior review and approval of the Conservation Commission.

**DEP FILE #CE225-0400 – REGENCY AT GLEN ELLEN  
MINOR MODIFICATION REQUEST – RETAINING WALL BETWEEN UNITS  
TED MERCHANT, TOLL BROS.**

Mr. Merchant presented the field change request. A field change of the approved plans-of-record was requested for construction of a retaining wall at the rear of Units 307 & 308 in lieu of the originally approved slope grading.

The Commission reviewed the request and plans. Mr. Niro of BETA summarized BETA's review letter, dated March 30, 2022. Also reviewed was Toll Brothers' response memorandum, dated April 4, 2022.

A motion was made by Dr. Lederer, seconded by Mr. Steadman, and voted unanimously to approve the minor modification request as a field change to allow the retaining wall construction as presented with the following conditions:

- Perimeter controls/erosion controls will be replaced in the stockpile area discussed
- Trees to be removed shall be flagged/clearly marked
- Field changes shall be noted on the final as-built plan submitted

**MILLIS CONSERVATION COMMISSION  
MEETING MINUTES  
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA  
April 4, 2022**

**DEP FILE #CE225- ABBREVIATED NOTICE OF RESOURCE AREA  
DELINEATION, PUBLIC HEARING, CONT., 1178 MAIN ST.**

The public hearing continuation was opened at 7:57 p.m. with notice being read by Ms. Hayes, Vice Chair.

Mr. Merrikin, representing the applicant, requested a continuance, without discussion, via email dated March 30, 2022, to the next meeting on April 25, 2022.

On a motion made by Ms. Hayes, seconded by Mr. Steadman, it was voted unanimously at 7:58 p.m. to continue the public hearing to Monday, April 25, 2022, 7:45 p.m.

**CONCOM PROPERTIES – MOWING/HAYING  
INFORMAL DISCUSSION - JASON LOBISSER**

The Commission met with Mr. Jason Lobisser and Ms. Nicole Lobisser of The Pumpkin Farm. Mr. Lobisser has been mowing/haying three of the Commission's properties and wishes to continue to do so. As discussed, the haying and composting work will be performed mid to late May and then again early to mid-September, Mr. Lobisser stated.

On a motion made by Mr. Steadman, seconded by Ms. Hayes it was voted unanimously to authorize Mr. Lobisser to mow/hay the Conservation Commission properties listed below, free of charge to the Town of Millis, until further notice:

1. Village Street property
2. Dewey property (Exchange Street)
3. Bogastow Meadows (Cassidy Farm property) - Conservation Commission portion – upon coordination with Mr. Chiarizio of Tangerini's

The Commission thanked Mr. Lobisser for offering his services to the Town of Millis.

**OAK GROVE FARM – PROPOSED TRAIL IMPROVEMENTS  
INFORMAL DISCUSSION - S. MACINNES; D. WERNER  
OAK GROVE FARM COMMISSION**

The Commission conducted a site visit with Mr. Steve MacInnes on April 2, 2022, to view the location for the proposed trail improvements. Mr. MacInnes and Mr. Werner discussed the various locations and work involved.

A Notice of Intent will need to be filed, along with plans for the various location improvements. It was suggested that one Notice of Intent could be filed with various sub-sections for each location and a plan showing all the sections proposed to being improved.

Mr. Werner and the Oak Grove Farm Commission will work on drafting the application/plans. Discussion will continue at the meeting on April 25, 2022.

**MILLIS CONSERVATION COMMISSION  
MEETING MINUTES  
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA  
April 4, 2022**

**OTHER BUSINESS:**

**DEP FILE# CE225-0381 – 57 ACORN STREET, PARTIAL CERTIFICATE OF COMPLIANCE REQUEST**

A partial Certificate of Compliance Request was filed by the Law Offices of Gregory J. Schadone Ltd. for 57 Acorn Street. Although this property is part of the Hickory Hills Subdivision Order of Conditions, this lot does not involve any work within the Commission's jurisdictional areas.

On a motion made by Ms. Hayes, seconded by Mr. Chisholm, it was voted unanimously to approve a partial Certificate of Compliance for 57 Acorn Street only, DEP File #CE225-0381.

**10 ACORN STREET – RESCIND CEASE & DESIST LETTER**

A Cease & Desist letter, dated February 18, 2022, was sent to the owner of 10 Acorn Street after some unpermitted work was observed. A site visit was conducted on March 5, 2022, with Mr. Daniel Merrikin of Legacy Engineering representing the property owner. At the site visit, Mr. Merrikin stated that the current owner took deed to the property six months ago and was not aware that the abutter's contractors yard encroached into their property. It was noted at the site visit that the owner of 10 Acorn Street had recently done some vegetation trimming and removal in the buffer zone as part of an effort to clean up the property. The Commission recommended that the property owner allow the cleared area to be revegetated.

On a motion made by Mr. Chisholm, seconded by Ms. Hayes, it was voted unanimously to rescind the Cease & Desist.

**114 NORFOLK ST.; TREE REMOVAL  
EMERGENCY CERTIFICATION FORM**

The Commission conducted a site visit to view the trees proposed for removal that are in danger of causing property damage. Since that time, Ms. Moody contacted the Commission to say that a tree company recommended removal of additional trees. Mr. McPhee will go by and take a look. An Emergency Certification permit will be issued once the tree work is scheduled.

**SITE VISITS SCHEDULED**

Site visits were scheduled for 1 Granite Drive and 24 Pleasant Street for Saturday, April 9, 2022, at 9:00 a.m.

**BROOKE TREE SERVICE; 55 RIDGE STREET TREE WORK**

It was observed that tree work was performed by Brooke Tree Service at 55 Ridge Street. This property abuts the wetland feeding Richardson Pond. A letter will be sent to the tree company requesting that, in the future, they inform the homeowner's to contact the Conservation Commission should there be any question about jurisdictional areas and permitting prior to doing any work in Millis.

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April 4, 2022**

**MINUTES**

On a motion made by Mr. Steadman, seconded by Mr. Larsen, the meeting minutes from March 7, 2022, were unanimously approved as written.

Scheduled Conservation Commission Meetings: April 25, 2022  
June 6, 2022

There being no further business, on a motion made by Mr. Chisholm, seconded by Ms. Hayes, and voted unanimously, the meeting adjourned at 9:15 p.m.

*Respectfully submitted,*

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*Camille Standley, Administrative Assistant*